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Mihai Florin Ionescu

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EXAMINER

LE, MICHAEL

ART UNIT

PAPER NUMBER

2163

MAIL DATE

DELIVERY MODE

10/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/813,888

Applicant(s)

IONESCU, MIHAI FLORIN

Examiner

Michael Le

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-24 and 26-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-24 and 26-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Summary and Status of Claims

1. This Office Action is in response to Applicant's reply filed July 10, 2007.
2. Claims 48 and 49 are new.
3. Claims 1, 3-24 and 26-49 are pending.
4. Claims 1, 3-16, 18, 20-24, 26-46, 48 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vleet et al. (US Patent Pub 2005/0033803) of record, in view of Rivette et al. (US Patent 5,806,079).
5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vleet et al. (US Patent Pub 2005/0033803) of record, in view of Rivette et al. (US Patent 5,806,079), further in view of Fox (US Patent 5,765,172).
6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vleet et al. (US Patent Pub 2005/0033803) of record, in view of Rivette et al. (US Patent 5,806,079), further in view of Darago et al. (US Patent 6,170,014).
7. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vleet et al. (US Patent Pub 2005/0033803) of record, in view of Rivette et al. (US Patent 5,806,079), further in view of Fox (US Patent 5,765,172), further in view of Darago et al. (US Patent 6,170,014).
8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

9. **Claims 1, 3-16, 18, 20-24, 26-46, 48 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vleet et al. (US Patent Pub 2005/0033803) of record, hereinafter “Vleet”, in view of Rivette et al. (US Patent 5,806,079) hereinafter “Rivette”.**

10. In regards to **claim 1**, Vleet discloses a method comprising:

- a. providing a data store of stored events, wherein the events comprise data describing user interactions with articles (Vleet at para. 0023), wherein the articles are associated with a plurality of different applications (Vleet at para. 0024, lines 14-22);
- b. providing an index of the stored event, wherein the index is a part of the data store (Vleet at para. 0026, lines 18-23);
- c. mirroring the data store, including the index, to another storage medium. Vleet at para. 0034.

11. Vleet does not expressly disclose identifying a desired portion of the data store for replication, the desired portion including a portion of the index, and replicating the desired portion of the data store, after which the replicated portion is stored on a storage medium. Vleet does disclose mirroring. Vleet at para. 0034.

12. Rivette discloses a database system that stores notes, which are indications of a user's activity with articles (such a spreadsheets, documents, etc.), that allows a user to select a portion of the database to be replicated to another database. Rivette at col. 21, lines 4-36.

13. Vleet and Rivette are analogous art because they are directed to the same field of endeavor of database management.

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14. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the method of Vleet by adding the steps of identifying a desired portion of the data store for replication, the desired portion including a portion of the index, and replicating the desired portion of the data store, after which the replicated portion is stored on a storage medium, as taught by Rivette.

15. The motivation for doing so would have been because it is efficient to use portions of an existing database that may be relevant for another project at another database. Rivette at col. 21, lines 8-10.

16. In regards to **claim 3**, Vleet and Rivette disclose the method of claim 1, wherein the index comprises a plurality of terms associated with the events. Vleet at para. 0026, lines 18-23.

17. In regards to **claim 4**, Vleet and Rivette disclose the method of claim 1, wherein the index comprises one or combination of one or more times, one or more types, one or more locations, one or more articles, or one or more user activities associated with the events. Vleet at para. 0026, lines 18-23.¹

18. In regards to **claim 5**, Vleet and Rivette disclose the method of claim 4, wherein the articles comprise one or a combination of word processor documents, spreadsheet documents, presentation documents, emails, instant messenger messages, database entries, calendar entries, appointment entries, task manager entries, source code files, web pages, Portable Document Format (PDF) files, media files, audio files, or video files. Vleet at para. 0026, lines 11-17; Rivette at col. 5, lines 56-67.

¹ The index permits retrieval based on "general event type", which is interpreted as one type.

19. In regards to **claim 6**, Vleet and Rivette disclose the method of claim 1, wherein the data store comprises a database. Vleet at para. 0026, lines 1-3; Rivette at col. 8, lines 44-9.
20. In regards to **claim 7**, Vleet and Rivette disclose the method of claim 6, wherein the database comprises events. Vleet at para. 0026; Rivette at col. 5, lines 56-67; col. 8, lines 58-62.
21. In regards to **claim 8**, Vleet and Rivette disclose the method of claim 1, wherein the data store comprises a repository. Vleet at para. 0026; Rivette at col. 8, lines 58-62.
22. In regards to **claim 9**, Vleet and Rivette disclose the method of claim 8, wherein the repository comprises content associated with the articles. Vleet at para. 0026; Rivette at col. 8, lines 47-49, 58-62.
23. In regards to **claim 10**, Vleet and Rivette disclose the method of claim 1, wherein identifying a desired portion of the data store comprises presenting a user with a graphical user interface. Rivette at col. 21, lines 4-36, 38-9.
24. In regards to **claim 11**, Vleet and Rivette disclose the method of claim 1, wherein identifying a desired portion of the data store comprises presenting a user with suggested events. Rivette at col. 21, lines 26-9.
25. In regards to **claim 12**, Vleet and Rivette disclose the method of claim 1, wherein identifying a desired portion of the data store comprises identifying frequently accessed articles. Rivette at col. 12, lines 14-27; col. 21, lines 26-9; col. 24, lines 53-67.²

² A user can search the database for notes or sub-notes based on various types of criteria. Notes represent links to data objects and sub-notes represent portions of data objects and are created each time a user accesses a data object or a particular portion of a data object. Thus, it is interpreted that a user can search the database for a group of sub-notes that represent a frequently accessed data object.

26. In regards to **claim 13**, Vleet and Rivette disclose the method of claim 1, wherein identifying a desired portion of the data store comprises identifying articles relevant to a search query. Rivette at col. 21, lines 26-9.

27. In regards to **claim 14**, Vleet and Rivette disclose the method of claim 13, wherein identifying articles relevant to a search query comprises:

- a. identifying a first result set of articles relevant to the search query (Rivette at col. 24, lines 54-67);
- b. identifying frequently occurring items within the first result set of articles (Rivette at col. 12, lines 14-27; col. 21, lines 26-9; col. 24, lines 53-67.³);
- c. identifying a second result set of articles based at least in part on the frequently occurring items. Rivette at col. 36, lines 21-6.⁴

28. In regards to **claim 15**, Vleet and Rivette disclose the method of claim 1, further comprising determining a maximum size for a replicated portion of the data store. Rivette at col. 21, lines 26-9, 33-6; col. 24, lines 64-7.⁵

29. In regards to **claim 16**, Vleet and Rivette disclose the method of claim 1, wherein identifying a desired portion of the data store comprises determining recently accessed articles. Rivette at col. 21, lines 26-9, 33-6; col. 24, lines 53-67.

³ See footnote 2.

⁴ Searches can be multiple iterations, which is interpreted as identifying a second result set based at least in part on the frequently occurring items.

⁵ "A user can limit the search to a user-defined path..." is interpreted as determining a maximum size for a replicated portion..."

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30. In regards to **claim 18**, Vleet and Rivette disclose the method of claim 1, further comprising determining profile information associated with the desired portion, the profile information identifying a user associated with the data store. Rivette at col. 21, lines 33-6.⁶
31. In regards to **claim 20**, Vleet and Rivette disclose the method of claim 1, wherein the desired portion of the data store is replicated to a removable data store. Rivette at col. 9, lines 58-61.
32. In regards to **claim 21**, Vleet and Rivette disclose the method of claim 20, wherein the data store is a local data store on a client device. Rivette at col. 9, lines 3-7.
33. In regards to **claim 22**, Vleet and Rivette disclose the method of claim 1, wherein the desired portion of the data store is replicated to a second data store located on a network. Rivette at col. 9, lines 53-7; col. 10, lines 18-22.
34. In regards to **claim 23**, Vleet and Rivette disclose the method of claim 22, wherein the data store is a local data store on a client device. Rivette at col. 9, lines 3-7.
35. **Claims 24 and 26-46** are essentially claims 1 and 2-23 in the form of a computer readable storage medium containing program code and are therefore rejected for the same reasons.
36. In regards to **claim 48**, Vleet and Rivette disclose the method of claim 18, wherein the profile information is replicated with the desired portion of the data store and further comprising:
- a. providing a second data store of stored events, the second data store having associated profile information identifying a second user associated with the second data store (Rivette at col. 9, lines 54-6);

⁶ Searching can be performed on “creator”, which is interpreted as identifying a user associated with the data store.

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- b. identifying articles associated with the stored events in the replicated portion (Rivette at col. 18, lines 39-42) and articles associated with the stored events in the second data store related to a search query (Rivette at col. 24, lines 54-67);
- c. simultaneously displaying the identified articles associated with the events stored in the replicated portion and the second data store (Rivette at col. 18, lines 39-49); and
- d. displaying profile information corresponding to each identified article, the profile information identifying the user associated with the data store storing the event with which the article is associated. Rivette at col. 24, lines 54-67.⁷

37. **Claim 49** is essentially claim 48 in the form of a computer readable storage medium and therefore is rejected for the same reasons.

38. **Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vleet et al. (US Patent Pub 2005/0033803) of record, hereinafter "Vleet", in view of Rivette et al. (US Patent 5,806,079) hereinafter "Rivette", further in view of Fox (US Patent 5,765,172).**

39. In regards to **claim 17**, Vleet and Rivette do not expressly disclose the method of claim 8, further comprising determining a checksum associated with the index and the repository.

40. Fox discloses determining a checksum value for a first database in order to verify the integrity of a replicated database. Fox at col. 1, lines 65-7; col. 2, lines 1-6.

41. Vleet, Rivette and Fox are analogous art because they are directed to the same field of endeavor of database management.

⁷ It is interpreted that since a user can search for notes (events) based on creator or owner (user associated with data store storing the event), then the results (identified article) include the corresponding creator/owner (profile information).

42. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the combined method of Vleet and Rivette by adding the step of determining a checksum associated with the index and the repository, as taught by Fox.

43. The motivation for doing so would have been because determining checksums for replicated databases allows for ensuring data integrity after the replication. Fox at col. 1, lines 65-7.

44. **Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vleet et al. (US Patent Pub 2005/0033803) of record, hereinafter "Vleet", in view of Rivette et al. (US Patent 5,806,079) hereinafter "Rivette", further in view of Darago et al. (US Patent 6,170,014) hereinafter "Darago".**

45. In regards to **claim 19**, Vleet and Rivette do not expressly disclose the method of claim 1, wherein replicating the structure and content of the desired portion of the data store comprises indicating a read-only status.

46. Darago discloses replicating a database in a read-only format to another server in order to prevent users from modifying the replicated data, but still allow users to view it. Darago at col. 10, lines 66-7; col. 11, lines 1-4.

47. Vleet, Rivette and Darago are analogous art because they are directed to the same field of endeavor of database management.

48. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the combined method of Vleet and Rivette by adding the feature of indicating a read-only status when replicating a desired portion of the data store, as taught by Darago.

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49. The motivation for doing so would have been because it prevents users from modifying the data on a target server or database, but still allows users to view the data. Darago at col. 10, lines 67; col. 11, lines 1-2.

50. **Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vleet et al. (US Patent Pub 2005/0033803) of record, hereinafter “Vleet”, in view of Rivette et al. (US Patent 5,806,079) hereinafter “Rivette”, further in view of Fox (US Patent 5,765,172), further in view of Darago et al. (US Patent 6,170,014) hereinafter “Darago”.**

51. In regards to **claim 47**, Vleet discloses a method comprising:

- a. providing a database of stored events, wherein the events comprise data describing user interactions with articles on the client device (Vleet at para. 0023), and wherein the articles are associated with a plurality of different applications (Vleet at para. 0024, lines 14-22);
- b. providing an index of the stored events (Vleet at para. 0026, lines 18-23).
- c. providing a repository of at least a portion of content associated with the articles (Vleet at para. 0026);

52. Vleet does not expressly disclose (a) articles associated with a plurality of different client applications, (b) identifying a desired portion of the database, index, and repository by presenting a user with a graphical user interface, (c) determining a checksum associated with the database, index, and repository, (d) determining profile information associated with the database, index and repository, (e) replicating the structure and content of the desired portion of the database, index, and repository to create a replicated portion, (f) storing the replicated portion on a storage

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medium and (g) marking the replicated portion as read-only. Vleet does disclose mirroring the data store, including the index, to another storage medium. Vleet at para. 0034.

53. Rivette discloses a database system that stores notes, which are indications of a user's activity with articles (such a spreadsheets, documents, etc.), that allows a user to select a portion of the database to be replicated to another database. The portions can be searched based on various criteria such as creator (profile information). Rivette at col. 21, lines 4-36.

54. Fox discloses determining a checksum value for a first database in order to verify the integrity of a replicated database. Fox at col. 1, lines 65-7; col. 2, lines 1-6.

55. Darago discloses replicating a database in a read-only format to another server in order to prevent users from modifying the replicated data, but still allow users to view it. Darago at col. 10, lines 66-7; col. 11, lines 1-4.

56. Vleet, Rivette, Fox and Darago are analogous art because they are directed to the same field of endeavor of database management.

57. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the method of Vleet by adding articles associated with a plurality of different client applications and the steps of identifying a desired portion of the database, index, and repository by presenting a user with a graphical user interface, determining profile information associated with the database, index and repository, replicating the structure and content of the desired portion of the database, index, and repository to create a replicated portion, and storing the replicated portion on a storage medium, as taught by Rivette.

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58. The motivation for doing so would have been because it is efficient to use portions of an existing database that may be relevant for another project at another database. Rivette at col. 21, lines 8-10.

59. It further would have been obvious to modify the combined method of Vleet and Rivette by adding the step of determining a checksum associated with the database, index, and repository, as taught by Fox.

60. The motivation for doing so would have been because determining checksums for replicated databases allows for ensuring data integrity after the replication. Fox at col. 1, lines 65-7.

61. It would have further been obvious to modify the combined method of Vleet, Rivette and Fox by adding the step of marking the replicated portion as read-only, as taught by Darago.

62. The motivation for doing so would have been because it prevents users from modifying the data on a target server or database, but still allows users to view the data. Darago at col. 10, lines 67; col. 11, lines 1-2.

63. Accordingly, a prima facie case of obviousness has been established as all the limitations of claim 47 are met by the prior art, there is a suggestion/motivation to combine the references and there is a reasonable expectation of success since the references are all in the field of endeavor of database management.

Response to Amendment

Rejection of Claims 1, 3-24 and 26-47 under 35 U.S.C 101

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64. Applicant's amendment to claims 1, 3-24 and 26-47 is acknowledged. Consequently, the rejection to claims 1, 3-24 and 26-47 under 35 U.S.C. 101 is withdrawn.

Response to Arguments

Rejection of claims 1, 3-10, 15-24, 25-33 and 38-47 under 35 U.S.C. 103(a)

65. Applicant's arguments in regards to the rejections to claims 1, 3-10, 15-24, 25-33 and 38-47 under 35 U.S.C. 103(a), have been fully considered but they are not persuasive. As necessitated by Applicant's amendment, new grounds of rejection are set forth above. Prior art of record, Vleet, is once again relied upon as the primary reference. In regards to Vleet, Applicant makes an argument, which will now be addressed. Applicant alleges that Vleet fails to disclose "articles associated with a plurality of different applications" (Remarks at 11.) The Examiner respectfully disagrees.

66. Vleet discloses "various web applications" that are accessed by the user. Vleet at para. 0024; para. 0025, lines 1-5. The limitation simply recites "different applications," which reads on "various web applications" of Vleet. Applicant argues that the limitation overcomes Vleet because Vleet discloses web applications and not a plurality of different client applicants of word processors, spreadsheets, etc. These details are not recited in the claim. Consequently, the rejection to claims 1, 3-10, 15-25, 25-33 and 38-47 under 35 U.S.C. 103(a) is maintained under the new grounds of rejection set forth above.

Rejection of claims 11-14 and 34-37 under 35 U.S.C. 103(a)

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67. Applicant's arguments in regards to the rejections to claims 11-14 and 34-37 under 35 U.S.C. 103(a), have been fully considered but they are not persuasive. Applicant's arguments refer to the arguments presented with respect to claim 1, which have been addressed above. Consequently, the rejection of claims 11-14 and 34-37 under 35 U.S.C. 103(a) is maintained under the new grounds of rejection set forth above.

Conclusion

68. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


69. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

70. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Le whose telephone number is 571-272-7970. The examiner can normally be reached on Mon-Thurs : 9:30am-6pm, Fri: 8am-4:30pm.

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71. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

72. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DON WONG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Michael Le
Art Unit 2163
September 21, 2007